

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARIE VILLEGAS,

Plaintiff,

v.

CIVIL ACTION NO. 05 CV 73680 DT

DISTRICT JUDGE LAWRENCE P. ZATKOFF

MAGISTRATE JUDGE VIRGINIA M. MORGAN

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

REPORT AND RECOMMENDATION

On January 31, 2006, the Clerk of the Court issued a "Notice to Plaintiff" stating that her case, which was filed on September 26, 2005, would be dismissed for lack of progress pursuant to Local Rule 41.2 if she did not submit proof by February 17, 2006 that she had effected service upon the proper parties. Plaintiff did not respond to the notice and the docket does not reflect that service has been made. Therefore, in accordance with the January 31, 2006 notice, the court recommends that plaintiff's case be dismissed pursuant to Local Rule 41.2.

The parties to this action may object to and seek review of this Report and Recommendation, but are required to act within ten (10) days of service of a copy hereof as provided for in 28 U.S.C. § 636(b)(1) and E.D. Mich. LR 72.1(d)(2). Failure to file specific objections constitutes a waiver of any further right of appeal. Thomas v. Arn, 474 U.S. 140

(1985); Howard v. Secretary of HHS, 932 F.2d 505, 508 (6th Cir. 1991); United States v. Walters, 638 F.2d 947, 949-50 (6th Cir. 1981). The filing of objections which raise some issues, but fail to raise others with specificity, will not preserve all the objections a party might have to this Report and Recommendation. Willis v. Secretary of HHS, 931 F.2d 390, 401 (6th Cir. 1991); Smith v. Detroit Fed'n of Teachers Local 231, 829 F.2d 1370, 1373 (6th Cir. 1987). Pursuant to E.D. Mich. LR 72.1(d)(2), a copy of any objections is to be served upon this magistrate judge.

Within ten (10) days of service of any objecting party's timely filed objections, the opposing party may file a response. The response shall be no more than 20 pages in length unless, by motion and order, the page limit is extended by the court. The response shall address each issue contained within the objections specifically and in the same order raised.

Dated: March 30, 2006

s/Virginia M. Morgan
 VIRGINIA M. MORGAN
 UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

The undersigned certifies that on March 30, 2006 the foregoing Report and Recommendation was served by U.S. Mail upon:

Marie Villegas
 1342 Merrill Street
 Saginaw, MI 48601

Social Security Administration
 Office of the Regional Chief Counsel
 200 W Adams, 30th Floor
 Chicago, IL 60606

s/Jennifer Hernandez
 Case Manager to
 Magistrate Judge Virginia M. Morgan